



**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES  
PLANNING BOARD  
TO CONSIDER A PROPOSED CONDITIONAL USE**

Notice is hereby given that a Public Hearing will be held before the Town of Southern Pines Planning Board in the C. Michael Haney Community Room at the Southern Pines Police Department, 450 West Pennsylvania Avenue, on Thursday, October 18, 2018 at 7:00 PM, for a proposed Conditional Use Permit described as follows:

**CU-07-18: Major Amendment to Conditional Use Permit CU-04-17; 4.61 Acres on the West side of US Highway 15-501 between Commerce Avenue and Murray Hill Road; Petitioner: Moore Properties Development, Inc. by Koontz Jones Design PLLC, Agent**

Mr. Bob Koontz of Koontz Jones Design, PLLC has submitted a request for a major amendment to Conditional Use Permit CU-04-17 which includes a change in building design, another access point and additional parking. The subject parcels are identified as PIN 857114348617 (LRK 00055904); PIN 857114349275 (LRK 00055988); PIN 857100348497 (LRK 00047489); and a portion of PIN 857114347351 (LRK 00053351). Per the Moore County tax records, the property owners are listed as Moore Properties Development, Inc. and Goodwill Community Foundation, Inc.

All interested citizens should attend the public hearing. The Hearing Body's decision must be based on substantial, competent, and material evidence. Substantial evidence is "that which a reasonable mind would regard as sufficiently supporting a specific result." Competent evidence is evidence that can be subjected to cross-examination, inspection, explanation and rebuttal. Material evidence is evidence that is relevant to the issue being considered by the Hearing Body.

As a general rule, anyone with knowledge material to the case may provide factual information, but only experts may provide opinion testimony. Except as provided in G.S. §160A-393(k)(3), lay witnesses may provide opinion testimony, but this testimony is generally deemed incompetent unless it is corroborated by competent evidence.

Competent evidence shall not be deemed to include the opinion testimony of lay witnesses as to any of the following:

- (1) The use of property in a particular way would affect the value of other property.
- (2) The increase in vehicular traffic resulting from a proposed Development would pose a danger to the public safety.

(3) Matters about which only expert testimony would generally be admissible under the rules of evidence.

The full permit request application and maps delineating the properties affected may be reviewed at the Department of Planning and Development, 180 SW Broad Street, Southern Pines, North Carolina. Substantial changes in the permit request may be made following the public hearing.

Peggy K. Smith, Town Clerk